

## SUBCHAPTER G—CONTRACT MANAGEMENT

### PART 3542—CONTRACT ADMINISTRATION

AUTHORITY: 40 U.S.C. 486(c).

#### Subpart 3542.12—Novation and Change-of-Name Agreements

##### 3542.1200–70 Policy.

When “CORPORATE SEALS,” as required in the instructions for preparation and execution of novation agreements in FAR 42.1204 and in agreements to recognize contractor’s change of name in FAR 42.1205, are not used due to the dictates of custom, practice, or law within the Republic of Panama or other foreign countries, the contracting officer may execute such agreements, provided the contracting officer, with the concurrence of legal counsel, is satisfied that the persons signing such agreements are authorized to bind their companies.

[55 FR 7663, Mar. 2, 1990]

### PART 3543—CONTRACT MODIFICATIONS

AUTHORITY: 40 U.S.C. 486(c).

#### Subpart 3543.2—Change Orders

##### 3543.205 Contract clauses.

The contracting officer shall insert the clause at 3552.243–70, Modification Proposals—Price Breakdown, in all solicitations and contracts for construction.

[55 FR 7664, Mar. 2, 1990]

### PART 3547—TRANSPORTATION

#### Subpart 3547.3—Transportation in Supply Contracts

Sec.

3547.306 Transportation factors in the evaluation of offers.

3547.370 Solicitation provision.

AUTHORITY: 40 U.S.C. 486(c); Article IX of the Agreement in Implementation of Article III of the Panama Canal Treaty of 1977.

#### Subpart 3547.3—Transportation in Supply Contracts

##### 3547.306 Transportation factors in the evaluation of offers.

For purposes of evaluating comparability of costs of supplies obtainable in the Republic of Panama with those obtainable from other sources, pursuant to the Panamanian preference provisions of the Panama Canal Treaty’s Implementing Agreement (see part 3570), consideration shall be given to transportation costs to the Republic of Panama, including freight, insurance and handling of supplies.

[55 FR 7664, Mar. 2, 1990]

##### 3547.370 Solicitation provision.

The contracting officer shall insert the provision at 3552.247–70, Evaluation of Delivery Terms in Contract Awards, in solicitations that include alternate terms of delivery, i.e., f.o.b. destination (New Orleans) and c.i.f. destination (Panama).

[55 FR 7664, Mar. 2, 1990]

### PART 3551—USE OF GOVERNMENT SOURCES BY CONTRACTORS

#### Subpart 3551.1—Contractor Use of Government Supply Sources

Sec.

3551.102 Authorization to use Government supply sources.

3551.103 Ordering from Government supply sources.

AUTHORITY: 40 U.S.C. 486(c).

#### Subpart 3551.1—Contractor Use of Government Supply Sources

##### 3551.102 Authorization to use Government supply sources.

(a) When a contractor is performing one of the types of contracts specified in FAR 51.101, the contracting officer shall consider whether to allow the contractor to use Government supply sources. In addition to the factors listed for consideration at FAR 51.102(a),

### **3551.103**

the contracting officer shall consider whether—

(1) Materials necessary to the performance of the contract are not available locally except at Government sources; and

(2) Materials, though available to the contractor, require such a long lead time for delivery that contractor performance is threatened if Government sources are not used.

(e)(4) In those instances where contractor-furnished equipment and materials required by a contract have been authorized by the contracting officer to be obtained through Government

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sources as Government-furnished equipment and materials, for reasons established by FAR part 51, the contracting officer shall negotiate a change to the contract reducing the price by the commercial cost plus transportation costs.

[55 FR 7664, Mar. 2, 1990]

#### **3551.103 Ordering from Government supply sources.**

(b) “Contracting agency” as used in FAR 51.103(b) shall mean the cognizant Commission contracting officer.

[55 FR 7664, Mar. 2, 1990]